

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**STATE FARM FIRE & CASUALTY CO.
as partial subrogee of Kirk and
Kaycee Zarske**

PLAINTIFF

v.

CAUSE NO. 1:18CV318-LG-MTP

**RUBY CONSTRUCTION, LLC and
JADOT CONSTRUCTION, LLC**

DEFENDANTS

ORDER GRANTING MOTION FOR DEFAULT JUDGMENT

BEFORE THE COURT is the [28] Motion for Default Judgment filed by the plaintiff, State Farm Fire and Casualty Company as partial subrogee of Kirk and Kaycee Zarske. State Farm seeks a default judgment in the amount of \$100,989.78 against the defendant Jadot Construction, LLC. A summons directed to Jadot Construction, LLC was issued on October 4, 2018. After obtaining two extensions of time to accomplish service of process, State Farm filed a return showing that it had served Jadot Construction, LLC on April 16, 2019. (ECF No. 19.) Jadot Construction, LLC did not answer or otherwise respond to the Complaint. The Clerk's Entry of Default occurred on September 23, 2019. (ECF No. 29.)

In the context of a default judgment, a court's award of damages must be determined after a hearing, unless the amount claimed can be demonstrated by detailed affidavits establishing the necessary facts. *See James v. Frame*, 6 F.3d 307, 310 (5th Cir. 1993). Here, State Farm provided a detailed affidavit supporting its claim for recovery of payments made to its insureds, and included the documents it relied on in making the payments. After review of the submissions, the Court

concludes that State Farm has adequately demonstrated it is entitled to a default judgment in the amount claimed.

IT IS THEREFORE ORDERED AND ADJUDGED that the [28] Motion for Default Judgment filed by the plaintiff, State Farm Fire and Casualty Company as partial subrogee of Kirk and Kaycee Zarske, is **GRANTED**. A separate judgment will enter.

SO ORDERED AND ADJUDGED this the 16th day of October, 2019.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE